

Regular Council Meeting—March 11, 2014

The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on March 11, 2014 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor Carlton Gunter, Penuel Baptist Church, gave the invocation.

Council members

present:

Mayor Michael Mattox
Mrs. Beverley Dalton
Mr. Charles Edwards
Mr. Bill Ferguson
Mr. Timothy George
Mr. Jay Higginbotham

Council members

absent:

Mr. Tracy Emerson

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Daniel Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Chief Ken Walsh, Police Department
Mr. Steve Bond, Wastewater Treatment Director
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

Mayor Mattox recognized and welcomed Mr. Stan Goldsmith, Campbell County Board of Supervisors, Altavista District.

3. Mayor Mattox asked if there were any questions regarding the agenda.

A motion was made by Mr. Ferguson, seconded by Mr. Higginbotham, to approve the agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

4. Public Comment

Mayor Mattox asked if anyone would like to speak on anything not listed on the agenda.

No one came forward.

5. Special Items or Recognitions

A) Michael Hudson, Avoca Executive Director

Mr. Michael Hudson, Avoca Executive Director addressed Council with some trivia. The last General to die in the Civil War was from the Altavista community; James Dearing was also one of the youngest Generals. Civil War Trails is a nationally recognized program that puts historical markers at places of interest and Altavista will now be added to that map of premier Civil War destinations. This marker will be in placed April 25th. This marker will highlight

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General James Dearing’s roots and contributions. Mr. Hudson invited Council to the grand unveiling of this marker on April 25th, 2014.

6. Consent Agenda

- a) Approval of Minutes-Regular Meeting February 11, 2014
- b) Receive monthly review of Invoices
- c) Receive monthly review of Revenue & Expenditures
- d) Receive monthly review of Reserve Balance/Investment Report
- e) Approval of Appointments
- f) Departmental Monthly Reports
 - Administration
 - Altavista on Track
 - Business License
 - Community Development
 - Economic Development
 - Police Department
 - Public Works Department
 - Transit System
 - Wastewater Department
 - Water Department

A motion was made by Mrs. Dalton, seconded by Mr. George, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

7. Public Hearings

8. Standing Committee/Commission/Board Reports

- a) Council Committees
 - i. Finance/Human Resources Committee

Armory Reuse- Masonic Lodge Proposal

Mrs. Dalton advised the Finance Committee has continuously discussed the Armory issue for the past few months, and at the last meeting there was only one committee member present that could discuss or vote on the matter. The Chair decided it was time to place it on Council's agenda and direct Staff to place this item under "Unfinished Items" to allow for discussion, direction or resolution. No recommendation was forwarded by the Committee.

Altavista Fire Company—Surplus Property Request

Mrs. Dalton advised the Altavista Fire Company is requesting the Town of Altavista declare Engine 2 (a 1983 Ford FMC pumper engine) as surplus. This would allow the Altavista Fire Company to dispose of the engine and utilize the profits for purchase of personal protective equipment. She noted this request is in accordance with a policy established by Town Council in June 2008.

A motion was made by Mrs. Dalton, seconded by Mr. George, that the Town of Altavista declare Engine 2, a 1983 Ford FMC pumper engine, as surplus and the net proceeds from the sale be utilized by the Altavista Fire Company for personal protective equipment.

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Mr. Higginbotham asked if the funds should go into replacing the vehicle.

Mr. Jonathan Witt, Altavista Fire Company Treasurer, advised this tanker was replaced because of the age of the vehicle.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Other Items/Updates

Employee Compensation Study: Staff is working on gathering information for the Committee regarding staff compensation as compared to other localities.

Next Finance/HR Committee Meeting: Thursday, March 27th, 2014 8:15AM in the large conference room of Town Hall.

ii. Police/Legislative Committee

No report.

iii. Public Works/Utility Committee

Band Boosters Agreement-Trade Lot

- i. Mr. Ferguson advised at the September 10, 2013 Town Council meeting, a new agreement between the Town and the Altavista Band Boosters was approved. In this agreement the Band Boosters, asked that rather than having one event per month they be allowed not to hold an event during the months of December, January and February and double up on events during the months of April, May and September, which was approved. Since that time the Band Boosters have been working with their vendors and a request was recently received from the Band Boosters to trade the second date in April to a second date in November. The Public Works/Utility Committee concurs with this request.

Mr. Ferguson motioned to amend the agreement between the Town of Altavista and the Altavista Band Boosters to allow a second date in November, rather than April.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Bedford Avenue Waterline Project

Mr. Ferguson advised at the February 2014 Town Council meeting, Mr. Ron Smith of WW Associates briefed Town Council on the ongoing development of the plans for this project. Staff was asked to put this item on the Public Works/Utility Committee agenda, for additional discussion. Shortly after the February Town Council meeting, staff met with WW Associates to discuss the development of the Final Plans, with

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a focus on how to move forward with design of the "river crossing". In an effort to provide the Town with options regarding this item, the engineer proposed that both alternatives, directional drilling and open cut, be designed and both alternatives be offered to contractors during the bid process. He stated if Council desires to keep both options open, additional survey and design work will be required. One of the options includes the inclusion of the raw water line that currently "hangs" on the bridge and has required repairs in the past. At some point in the future this line will need to be replaced and could possibly require a directional drill or open cut, if reattaching it to the bridge is not feasible or allowed. The survey/design work for only the open cut for the finished water lines is a lump sum of \$12,000, while the inclusion of the raw water line increases the lump sum fee to \$15,000. The Committee feels it is in the Town's best interest to keep the open cut option available through the bidding phase.

A motion was made by Mr. Ferguson, seconded by Mrs. Dalton, that the Town contract with WW Associates to perform additional survey/design services related to the open cut option in regards to the Bedford Avenue Waterline Project, in the amount of \$15,000.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

WWTP Emergency Overflow Pond- PCB Issues

A: Plot #7 Construction

Mr. Ferguson advised the Committee discussed the possibility of proceeding with Plot #7 as identified by Dr. Licht. The Committee recommends that we utilize our own resources, as we have done in the past and cut "whips" from existing trees to plant. At some point, we would need to utilize Dr. Licht to have the foliar samples and/or soil samples tested and analyzed. There was discussion to extend Plot #7 to also be on the east side of Plot #5. Plot #7 would consist of an outside dike, with no dirt added to the interior after the water is pumped out. A layer of organic matter (i.e. shredded leaves, mulch, etc.) would be added to the surface and whips planted directly into the sludge. The Committee recommends that Plot #7 be constructed and that "whips" from our existing pads be cut and planted inside of Plot #7, as outlined.

A motion was made by Mr. Ferguson that the Town proceed with construction of Plot #7, as identified, utilizing Town forces and that whips from the existing plots be planted in Plot #7."

Mr. Higginbotham mentioned the use of a track hoe may be required to construct Plot #7 and asked that \$500-\$1,000 be budgeted for the rental fee.

It was the consensus of Council to approve funding for the use of a track hoe to construct Plot #7.

Mr. Coggsdale mentioned the whips will be cut and placed in cold storage until the dirt is in place.

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Mr. Edwards suggested running the truck more often to get the fill dirt in place.

Mayor Mattox asked for an update at the continued meeting on March 20, 2014.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

B: University of Iowa Request for Letter of Support

Mr. Ferguson advised the Committee reviewed the request from Dr. Craig Just, Ph.D. regarding a letter of support from the Town. The letter of support was requested regarding their effort in seeking renewed funding for the University of Iowa Superfund Research Program. The Committee questioned the relation between the studies mentioned pertaining to "airborne PCBs" and our efforts to find a remediation option. No recommendation regarding the letter was forthcoming.

Mr. Coggsdale stated he is receiving questions from Dr. Just, as to where this lies and he asked Council how he should respond.

Mrs. Dalton stated the Committee's recommendation is that the letter not be signed; Council is not aware of any problems with airborne PCBs and is focused on remediating the PCBs where they are.

b) Others

9. New Business

a) AOT Request for Street Closures for Cruise In Events

Mr. Coggsdale advised for the past several years, Altavista on Track (AOT) has hosted "Cruise In" events during the months of April through October in the downtown area. AOT is seeking authorization to have the Cruise In events along Main Street between Franklin Avenue and Amherst Avenue; for closure of Main Street a letter of request must go to the Virginia Department of Transportation for approval. Altavista on Track is seeking the Town's permission to close the cross streets that lead to Main Street. (2014 event dates are: April 5th, May 3rd, July 5th, August 2nd, September 6th, and October 4th.)

A motion was made by Mr. Higginbotham, seconded by Mr. Ferguson, to authorize AOT to close requested streets in the Town on the event dates and obtain proper approval from VDOT for the Main Street closure.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

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b) Public Nuisance—Setting of Hearing

Mr. Coggsdale advised in the past few months, the Altavista Police Department received complaint calls related to "barking dogs" at 327 Myrtle Lane. The last received complaint was on March 2, 2014, there had previously been two Notice of Complaints issued to this address on January 19th and January 21st. Chapter 34, Article II "Abatement of Public Nuisances" addresses the issues associated with a potential public nuisance, setting forth the definitions and procedures.

The Code of the Town of Altavista Section 34-31 (2) f. defines a "Public Nuisance" as *"any animal that by loud, frequent or habitual crying, barking, howling or other noise causes disturbance of the peace and quiet of any person or neighborhood."* The Code of the Town of Altavista Sections 34-32 through 34-33 provides for the process of handling and notifications, as well as the procedure by which public nuisance issues will be heard and potentially abated.

In compliance with the Town Code, the issuance of the third notice informs the owner/occupant that the *"offending animal appears to constitute a public nuisance and is subject to abatement procedures under sections 34-32 through 34-35 of the Town Code"* The Code further sets forth that *"prior to declaring the activity or condition in question a public nuisance, such owner or occupant shall be afforded reasonable notice and opportunity for a hearing before town council, which shall, if necessary, specially convene for this purpose."* He requested that the Town Council schedule a hearing for March 20, 2014 for this purpose.

10. Unfinished Business

a.) Armory Reuse/Masonic Lodge Proposal

Mayor Mattox recused himself from this portion of the meeting due to a financial interest and turned the meeting over to Vice-Mayor Dalton.

Mr. Ferguson stated he too would recuse himself as he is a member of the Masonic Lodge.

Vice-Mayor Dalton asked Mr. Coggsdale if there was any new information.

Mr. Coggsdale replied Mr. Goldsmith indicated he was gathering additional information on the improvements.

Mr. Goldsmith addressed Council advising he is awaiting cost estimates from two contractors on the HVAC system. He mentioned he has received correspondence from the Campbell County Registrar who is looking for a new polling location; removing the Altavista polling place from the Elementary School. Mr. Goldsmith recognized two members of the American Legion; Commander Dean Jennings and Paul Brooks. Mr. Don Roberts was in attendance on behalf of the Masonic Lodge.

Vice-Mayor Dalton offered as this is in regards to this piece of real estate, there are only four members that can vote and it must be unanimous.

Mr. Edwards advised he has talked with Mr. Goldsmith at length in regards to the armory and has also spoken to several of the members of the Masonic Lodge. He stated there appears to be diversity of opinion within the Lodge. He asked if this has been voted on within the Lodge.

Mr. Goldsmith answered affirmatively.

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Mr. George referred to the preliminary estimate of \$173,000 and asked if the monies were available or was it pending the sale of the building.

Mr. Goldsmith stated the sale of the building is necessary to make this project work. He noted there is a number of people who have inquired as to when this would materialize because they are looking for the opportunity to use the building.

Mr. Edwards asked if the renovations would include the auditorium.

Mr. Goldsmith stated there is a line item in the budget that includes an estimated cost of remodeling the auditorium in the future for a lodge room and a dining room. Mr. Goldsmith stated there is concern about the numbers being close but there is a lot of room for adjustment if needed. He told Council he hoped they would find as the Masons have found there is a huge interest in the community and felt the community would be well served.

Vice-Mayor Dalton stated she would be exercising a vote tonight and felt she needed to explain her decision. There is discussion amongst the Masonic Lodge members that is not consistent with a unanimous vote; there is a notion that this is a strong position for the Lodge to take. She also stated this is an all male organization and the Town's taxpayers are both male and female. The armory is a taxpayer's asset.

Mr. Edwards stated this has been a tough discussion for him and could see concerns in both directions; he said he would vote no.

Vice-Mayor Dalton stated this has been a difficult one for Council and it has been left open for more information; this decision has come after months and months of consideration and her vote is no.

Mr. Higginbotham stated he supports the Masons and Vice-Mayor Dalton has a valid point. Council is not dealing with personal funds but the public's funds and he would be voting no.

Mr. George stated he too would vote no and it was not a vote he enjoyed casting. There are still a lot of questions.

Based on the consensus of the four Council members who had not recused themselves that they would vote against any motion supporting the Masonic Lodge's proposal, no such motion was made and the matter was considered closed.

Mayor Mattox took over and moved to the Town Manager's report.

Mr. Goldsmith asked to speak.

Mayor Mattox stated although the vote was taken he would allow Mr. Goldsmith to speak out of respect for him and his position as a public official.

Mr. Goldsmith stated he was not sure how much more information the Masons could provide. It was his hope that he would be able to publicly explain why the Masons do not have women in the organization. Mr. Goldsmith stated it is his hope that if this is reintroduced, the Masons would have the opportunity to find out what Council still doesn't know.

11. Manager's Report

a) Project Updates

VDOT Enhancement Project and Downtown Utility Replacement Project and Pittsylvania Avenue Intersection Project

Substantial Completion Inspection has been performed on the Intersection and the Streetscape portion of the project. The Utility inspection is pending. Paving will begin once the weather warms and the asphalt plants reopen—estimated to be mid-March.

Bedford Avenue Waterline Replacement Project

Discussed earlier in meeting.

b) Other Items as Necessary

Mr. Coggsdale advised the new Director of Public Works and Utilities, Mr. David Garrett, will begin March 24, 2014. Mr. Coggsdale thanked Mr. Witt for taking on the Public Works Director duties during the hiring process.

c) Informational Items

- i) VDOT-Rt. 29 Bridge Project Update
- ii) VDOT-Urban Maintenance Inventory Reconciliation
- iii) Congressman Hurt-Elected Officials Appreciation Event Invite
- iv) Correspondence to Campbell County-Tank Disposition
- v) MAP 21 Transportation Alternatives Program Grant Application Amendment

d) Town Council Calendars (March/April)

12. Matters from Town Council

Mr. Ferguson advised Dr. Lou Licht, Ecolotree, Inc. would address Council. Dr. Licht advised he was contacted in the fall of 2011 in regards to the PCB remediation in the lagoon. They proposed to do some phytoremediation using plants; there are now 5 plots in the lagoon. He noted the lagoon contains some of the highest PCB concentrations in the United States. He stated there have been some interesting results from the trees that have been planted there. A sample was taken in 2012 of reed canary grass over some high level of sediments. (50% and under PCBs do not have to be moved.) And within the 7 months, everything measured was under 20 to 30 parts per million. He stated in the science world, this is very interesting because the treatment of PCBs in the United States and world is a major liability for the federal government. Dr. Licht asked that this work be continued and asked that an additional plot be installed. This area contains 9,000 parts per million of PCBs. He stated their review sees changes; compared to 2 years ago there is data that no one else in the United States has. He noted Mr. Steve Rock, EPA, called this lagoon a petri dish; small and contained. He commended Mr. Bond for his management of the Wastewater Treatment Plant. He stated his objective is to do no harm and find out how the PCB reactions happen so Virginia DEQ can understand and allow this to proceed and remove the Town from their unclosed sites. He felt the end to the research piece would entail two more plots for two more years. He would like to keep DEQ informed.

Mr. Higginbotham asked if an area should be diked around the sycamore trees and let them grow.

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Dr. Licht offered the reason for placing trees is they remove 35% more water than grass and added sycamore is one of the acceptable plants for this area. Dr. Licht referred to a conversation with Dr. Craig Just, Ph.D (University of Iowa) stating air sampling was not necessary if Council was not comfortable with the concept as it does not add to the Town’s situation.

Mrs. Dalton advised Council’s decision in this matter.

Mr. Edwards asked if they were interested in researching the microbes.

Dr. Licht responded yes and requested a letter of support. He noted this has gone from two years ago having no data to an idea of having strong data. Mr. Higginbotham read a sample letter that was suggested to be sent to Dr. Just.

A motion was made by Mr. Edwards, seconded by Mrs. Dalton, to write the letter to Dr. Just as presented to Council with modifications.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mayor Mattox referred Dr. Licht’s report to the Public Works/Utility Committee for review.

Mr. Edwards referred to a letter received from Mr. Al Smith in regards to access to English Park along the river.

Mr. George advised the Recreation Committee would be meeting on Monday, March 17, 2014 and this matter would be discussed.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

13. Closed Session

14. Adjournment

Mayor Mattox reminded Council of the continued meeting scheduled for Thursday, March 20, 2014 which has the public nuisance on the agenda.

Mayor Mattox asked if there was anything else to bring before Council.

A motion was made by Mrs. Dalton, seconded by Mr. Ferguson, to adjourn this meeting to Thursday, March 20, 2014 at 5:00 p.m. in the Council Chambers for the purpose of the hearing of the public nuisance and closed session.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes

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Mr. Timothy George	Yes
Mr. Jay Higginbotham	Yes

The meeting was continued to March 20, 2014 at 5:00 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk